

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. Contract ID Code Firm-Fixed-Price		Page 1 Of 6	
2. Amendment/Modification No. P00009		3. Effective Date 2002AUG19		4. Requisition/Purchase Req No. SEE SCHEDULE		5. Project No. (If applicable)	
6. Issued By TACOM-ROCK ISLAND AMSTA-LC-CTR-R KATRIENA VERSTRAETE (309)782-6618 ROCK ISLAND IL 61299-7630 EMAIL: VERSTRAETEK@RIA.ARMY.MIL		Code W52H09	7. Administered By (If other than Item 6) DCMA SPRINGFIELD BLDG 1 ARDEC PICATINNY NJ 07806-5000 SCD A PAS NONE ADP PT SC1012				Code S3101A
8. Name And Address Of Contractor (No., Street, City, County, State and Zip Code) ABB SUSA INCORPORATED 1460 LIVINGSTON AVENUE BUILDING B NORTH BRUNSWICK NJ 08902- 6005 TYPE BUSINESS: Large Business Performing in U.S.				<input type="checkbox"/>		9A. Amendment Of Solicitation No.	
				<input type="checkbox"/>		9B. Dated (See Item 11)	
				<input checked="" type="checkbox"/>		10A. Modification Of Contract/Order No. DAAE20-97-C-0237	
				<input type="checkbox"/>		10B. Dated (See Item 13) 1997AUG26	
Code 1BCP2		Facility Code					

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

<input type="checkbox"/> The above numbered solicitation is amended as set forth in item 14. The hour and date specified for receipt of Offers	
<input type="checkbox"/> is extended, <input type="checkbox"/> is not extended.	
Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing items 8 and 15, and returning _____ copies of the amendments; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.	
12. Accounting And Appropriation Data (If required) SEE SECTION G	
FMS REQUIREMENT	

13. THIS ITEM ONLY APPLIES TO MODIFICATIONS OF CONTRACTS/ORDERS

KIND MOD CODE: G		It Modifies The Contract/Order No. As Described In Item 14.	
<input type="checkbox"/>	A. This Change Order is Issued Pursuant To: The Contract/Order No. In Item 10A.		
<input type="checkbox"/>	B. The Above Numbered Contract/Order Is Modified To Reflect The Administrative Changes (such as changes in paying office, appropriation data, etc.) Set Forth In Item 14, Pursuant To The Authority of FAR 43.103(b).		
<input checked="" type="checkbox"/>	C. This Supplemental Agreement Is Entered Into Pursuant To Authority Of: FAR 43.103(a)		
<input type="checkbox"/>	D. Other (Specify type of modification and authority)		

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return _____ copies to the Issuing Office.

14. Description Of Amendment/Modification (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

SEE SECOND PAGE FOR DESCRIPTION

Except as provided herein, all terms and conditions of the document referenced in item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. Name And Title Of Signer (Type or print)		16A. Name And Title Of Contracting Officer (Type or print) DEBRA JUHL JUHL@RIA.ARMY.MIL (309)782-3370	
15B. Contractor/Offendor _____ (Signature of person authorized to sign)	15C. Date Signed	16B. United States Of America By _____ /SIGNED/ (Signature of Contracting Officer)	16C. Date Signed 2002AUG19

NSN 7540-01-152-8070

PREVIOUS EDITIONS UNUSABLE

30-105-02

STANDARD FORM 30 (REV. 10-83)

Prescribed by GSA FAR (48 CFR) 53.243

CONTINUATION SHEET	Reference No. of Document Being Continued PIIN/SIIN DAAE20-97-C-0237 MOD/AMD P00009	Page 2 of 6
Name of Offeror or Contractor: ABB SUSA INCORPORATED		

SECTION A - SUPPLEMENTAL INFORMATION

1. THE PURPOSE OF THIS MODIFICATION IS TO RESOLVE THE DISPUTE CONCERNING THE MATERIAL COSTS INCURRED FOR THE FALCON NORTH AND SOUTH OPERATIONS AND MAINTENANCE AWARDED ON FEBRUARY 8, 2000. THIS IS A NEGOTIATED SETTLEMENT TO FULLY AND FINALLY RESOLVE ALL ISSUES, CLAIMS, DISPUTES RELATED TO VOUCHER 31 UNDER CLIN 0007AB. THE GOVERNMENT AND ABB SUSA AGREE TO THE FOLLOWING:

A. THE GOVERNMENT AGREES TO ACCEPT ABB SUSA'S COSTS FOR MATERIAL, AS SUBMITTED IN VOUCHER #31, INCLUDING THE COSTS FOR THE RADIO/HANDHELD WITH CHARGER ANNUAL LICENSE FEE AND REPLACEMENT OF BEDS AND MATTRESSES AND HERBY AUTHORIZED PAYMENT IN THE TOTAL AMOUNT OF \$99,546.67. THIS AMOUNT WILL BE REDUCED BY \$59.20, WHICH WAS AN OVERPAYMENT UNDER CLIN 0007AA (SEE #3 BELOW). THUS, THE GOVERNMENT HEREBY AGREES TO PAY A TOTAL OF \$99,487.47 IN FULL AND TOTAL PAYMENT OF VOUCHER #31, AND ABB SUSA HEREBY AGREES AND ACCEPTS THE AMOUNT OF \$99,487.47 AS FULL AND TOTAL PAYMENT, ACCORD AND SATISFACTION OF VOUCHER #31 INCLUDING ANY AND ALL INTEREST.

B. ABB SUSA HEREBY WAIVES ANY AND ALL CLAIMS, REQUESTS FOR EQUITABLE ADJUSTMENT, AND RIGHTS THAT IT HAS OR MAY HAVE RELATING TO VOUCHER #31 AND THE COSTS UNDER CLIN 0007AB.

C. IN ADDITION TO THE COSTS PREVIOUSLY QUESTIONED IN VOUCHER #31, THE U.S. GOVERNMENT AGREES TO WAIVE ALL RIGHTS TO CLAIM ANY CONSIDERATION FROM ABB SUSA FOR THE NON-OPERATION, SINCE OCTOBER 2001, OF THE WIND SENSOR AT THE MPRC RANGE IN KUWAIT. THE PARTIES AGREE, HOWEVER, THAT IT IS SILL THE RESPONSIBILITY OF THE CONTRACTOR, ABB SUSA, TO REPAIR/REPLACE THE WIND SENSOR TO OPERATIONAL STATUS PRIOR TO FINAL ACCEPTANCE OF THE RANGE.

2. A SUMMARY OF THE FINAL CONTRACT PRICE IS DETAILED BELOW:

MOD P00007			
FALCON N/S RANGES O & M			
PRONS		J55N8W53M1	J55N9W53M1
<u>CLINS</u>		<u>0007AA (FFP)</u>	<u>0007AB (COST)</u>
VOUCHER 25	\$304,627.20		
VOUCHER 27	\$ 76,156.00		
VOUCHER 29			\$103,202.88
VOUCHER 31			\$ 99,546.67
SUBTOTAL PAID VOUCHERS			
(CLINS 0007AA & 0007AB)	\$380,783.20		\$202,749.55
<u>CONTRACT OBLIGATED AMOUNTS</u>	<u>\$380,724.00</u>		<u>\$271,062.00</u>
TOTAL UNLIQUIDATED FUNDS 0007AB			(\$ 68,312.45)
<u>FINAL OBLIGATED AMOUNTS</u>	<u>\$380,724.00</u>		<u>\$202,749.55</u>
TOTAL OVER/UNDER PAYMENT	\$59.20		(59.20)
PAYMENT AUTHORIZED	\$380,783.20		\$202,690.35

3. THE CONTRACTOR HAS PREVIOUSLY BILLED AND WAS PAID \$380,783.20 UNDER CLIN 0007AA. THIS AMOUNT IS \$59.20 OVER THE FIRM FIXED PRICE AMOUNT OF \$380,724.00. THEREFORE, THE TOTAL AMOUNT AUTHORIZED FOR PAYMENT UNDER CLIN 0007AB OF \$202,749.55 IS REDUCED BY \$59.20 FOR A TOTAL OF \$202,690.35: AS STATED IN 1.A., THIS REDUCTION IS APPLIED TO VOUCHER #31.

4. THIS REPRESENTS THE FINAL, NEGOTIATED SETTLEMENT BETWEEN ABB SUSA AND THE U.S. GOVERNMENT OF MODIFICATION P00007 UNDER CONTRACT DAAE20-97-C-0237.

5. THIS MODIFICATION WILL ALSO DECREASE THE AMOUNTS UNDER CLIN 0001AB AND CLIN 0004 FOR OUTSTANDING UNLIQUIDATED AMOUNTS. CLIN 0001AB WILL BE REDUCED BY \$.71 AND CLIN 0004 WILL BE REDUCED BY \$9.09. THESE OUTSTANDING UNLIQUIDATED AMOUNTS ARE A RESULT OF A MISTAKE IN PUBLIC VOUCHER FOUR DATED MAY 8, 1998 WHICH INCORRECTLY BILLED FOR \$2,068.00 INSTEAD OF \$2,068.71. VOUCHERS #32 AND #41 WERE INCORRECTLY ENTERED INTO THE DFAS PAYMENT SYSTEM WHICH RESULTED IN INCORRECT AMOUNTS PAID TO THE CONTRACTOR AS OUTLINED BELOW:

<u>VOUCHER</u>	<u>INVOICE AMOUNT</u>	<u>PAID AMOUNT</u>	<u>UNLIQUIDATED AMOUNT</u>
#32 DTD 01 DEC 00	\$117,689.79	\$117,680.79	\$9.00

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Name of Offeror or Contractor: ABB SUSA INCORPORATED

#41 DTD 01 SEP 01	\$117,797.79	\$117,797.70	\$0.09
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THE CONTRACTOR DOES NOT WANT TO SUBMIT REVISED/CORRECTED VOUCHERS FOR THESE OUTSTANDING UNLIQUIDATED AMOUNTS THEREFORE, THE COGNIZANT CLINS WILL BE REDUCED BY THE UNLIQUIDATED AMOUNTS DETAILED ABOVE.

- 5. MODIFICATION P00008 IS NOT USED FOR THIS CONTRACT.
- 6. ALL OTHER TERMS AND CONDITIONS REMAIN UNCHANGED AS A RESULT OF THIS MODIFICATION.

*** END OF NARRATIVE A 011 ***

CONTINUATION SHEET	Reference No. of Document Being Continued PIIN/SIIN DAAE20-97-C-0237 MOD/AMD P00009	Page 4 of 6
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Name of Offeror or Contractor: ABB SUSA INCORPORATED

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0001AB	<p>SECTION B - SUPPLIES OR SERVICES AND PRICES/COSTS</p> <p><u>MPRC-CONSTRUCTION</u></p> <p>NOUN: KUWAIT-MPRC DESIGN & CONSTRUT SECURITY CLASS: Unclassified PRON: J55AOW53M1 PRON AMD: 04 ACRN: AE AMS CD: 4310169993 FMS CASE IDENTIFIER: KU-B-JAT</p> <p><u>Inspection and Acceptance</u> INSPECTION: Origin ACCEPTANCE: Destination</p> <p><u>Deliveries or Performance</u> DLVR SCH PERF COMPL <u>REL CD</u> <u>QUANTITY</u> <u>DATE</u> 001 0 30-MAR-1999</p> <p>\$ 11,556,202.29</p>				\$ 11,556,202.29
0004	<p><u>Supplies or Services and Prices/Costs</u></p> <p><u>OPTION 1 -FIRST 2 YEARS O&M</u></p> <p>NOUN: OPTION 1-OPERATION & MAINT. SECURITY CLASS: Unclassified PRON: J55B5W53M1 PRON AMD: 02 ACRN: AG AMS CD: 4310169993 CUSTOMER ORDER NO: J55M5870DC01 FMS CASE IDENTIFIER: KU-B-JAT</p> <p><u>Inspection and Acceptance</u> INSPECTION: Origin ACCEPTANCE: Origin</p> <p><u>Deliveries or Performance</u> DLVR SCH PERF COMPL <u>REL CD</u> <u>QUANTITY</u> <u>DATE</u> 001 0 30-MAR-2001</p> <p>\$ 2,827,137.91</p>				\$ 2,827,137.91
0007AA	<p><u>SERVICES LINE ITEM</u></p> <p>NOUN: FALCON N&S-LABOR SECURITY CLASS: Unclassified PRON: J55N8W53M1 PRON AMD: 01 ACRN: AC AMS CD: JAT062 CUSTOMER ORDER NO: J55M5870DC01 FMS CASE IDENTIFIER: KU-B-JAT</p> <p><u>Inspection and Acceptance</u> INSPECTION: Origin ACCEPTANCE: Origin</p>				\$ 380,724.00
0007AB	<p><u>SERVICES LINE ITEM</u></p> <p>NOUN: FALCON N&S-MATERIALS SECURITY CLASS: Unclassified</p>				\$ 202,749.55

Name of Offeror or Contractor: ABB SUSA INCORPORATED

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT						
	<div>PRON: J55N9W53M1 PRON AMD: 01 ACRN: AD</div> <div>AMS CD: JAT062</div> <div>CUSTOMER ORDER NO: J55M5870DC01</div> <div>FMS CASE IDENTIFIER: KU-B-JAT</div> <div><u>Inspection and Acceptance</u></div> <div>INSPECTION: Origin ACCEPTANCE: Origin</div> <div><u>Deliveries or Performance</u></div> <div><div>DLVR SCH</div><div><table><tr><td><u>REL CD</u></td><td><u>QUANTITY</u></td><td><u>DATE</u></td></tr><tr><td>001</td><td>0</td><td>23-JUN-2000</td></tr></table></div></div> <div><div>\$</div><div>202,749.55</div></div>	<u>REL CD</u>	<u>QUANTITY</u>	<u>DATE</u>	001	0	23-JUN-2000				
<u>REL CD</u>	<u>QUANTITY</u>	<u>DATE</u>									
001	0	23-JUN-2000									

Name of Offeror or Contractor: ABB SUSA INCORPORATED

SECTION G - CONTRACT ADMINISTRATION DATA

LINE	PRON/		OBLG STAT/			INCREASE/DECREASE		CUMULATIVE
ITEM	AMS CD	ACRN	JOB ORD NO		PRIOR AMOUNT	AMOUNT		AMOUNT
0001AB	J55AOW53M1	AA	2	\$	11,556,203.00	\$	-11,556,203.00	\$ 0.00
	4310169993		569W53					
0001AB	J55AOW53M1	AE	2	\$	0.00	\$	11,556,202.29	\$ 11,556,202.29
	4310169993		569W53					
0004	J55B5W53M1	AA	2	\$	2,827,147.00	\$	-2,827,147.00	\$ 0.00
	4310169993		569W53					
0004	J55B5W53M1	AG	2	\$	0.00	\$	2,827,137.91	\$ 2,827,137.91
	4310169993		569W53					
0007AA	J55N8W53M1	AA	2	\$	380,724.00	\$	-380,724.00	\$ 0.00
	JAT062		569W53					
0007AA	J55N8W53M1	AC	2	\$	0.00	\$	380,724.00	\$ 380,724.00
	JAT062		569W53					
0007AB	J55N9W53M1	AA	2	\$	271,062.00	\$	-271,062.00	\$ 0.00
	JAT062		569W53					
0007AB	J55N9W53M1	AD	2	\$	0.00	\$	202,749.55	\$ 202,749.55
	JAT062		569W53					
NET CHANGE					\$		-68,322.25	

SERVICE	NET CHANGE			ACCOUNTING	INCREASE/DECREASE
NAME	BY ACRN	ACCOUNTING CLASSIFICATION		STATION	AMOUNT
Army	AA	9711	X8242KU01X6V6V01JAT 06225GZKUS11116	W52H09	\$ -15,035,136.00
Army	AC	9711	X8242KU01X6V6V01JAT 06225GZKUS111165N8W53	W52H09	\$ 380,724.00
Army	AD	9711	X8242KU01X6V6V01JAT 06225GZKUS111165N9W53	W52H09	\$ 202,749.55
Army	AE	9711	X8242KU01X6V6V01JAT 06225GZKUS111165AOW53	W52H09	\$ 11,556,202.29
Army	AG	9711	X8242KU01X6V6V01JAT 06225GZKUS111165B5W53	W52H09	\$ 2,827,137.91
NET CHANGE					\$ -68,322.25

		PRIOR AMOUNT		INCREASE/DECREASE		CUMULATIVE
		OF AWARD		AMOUNT		OBLIG AMT
NET CHANGE FOR AWARD:	\$	18,822,037.00	\$	-68,322.25	\$	18,753,714.75